IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29094 of 2008

1. HARI PRASAD GIRI, son of Doon Lal Giri
2. Dev Narayan Giri, son of Hari Prasad Giri, All Resident of village Gargaon (Loha Gara), P.S. Bahadurganj District Kishanganj …….. Petitioners

Versus

STATE OF BIHAR …. Opposite party

03/ 11.11.2008 Heard learned counsel for the petitioners and the State.

Petitioners are accused in a case under Section 304B and other allied Sections of the Indian Penal Code and Sections 3/ 4 of the Dowry Prohibition Act. They are the father-in-law and husband of the deceased and named in the First Information Report as also in the statement of the victim as the one who were aggrieved with the deceased for her failure to bring dowry.

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It is submitted on behalf of the petitioners that there is no specific allegation of setting the deceased ablaze attributed to the petitioners.

In view of the omnibus allegation that the petitioners were aggrieved with the deceased for her failure to bring dowry, I am not inclined to admit petitioner no.2, Dev Narayan Giri, husband of the deceased to the privilege of bail. His application for grant of bail is rejected, but as he is in jail custody as under trial prisoner for over a year, trial court is directed to expedite the trial and conclude the same within six months from the date of receipt/ production of a copy of this order.

So far, petitioner no.1, Hari Prasad Giri, father-in-law

is concerned, he having remained in jail custody for over one year, is directed to be released on bail on furnishing bail bond of Rs. 5,000/- (Rs. Five thousand only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj in connection with S.T. No. 760 of 2007, arising out of Bahadurganj P.S. Case No. 17 of 2007.

Arjun/ **(V.N. Sinha, J.)**

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